



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHANKS *et. al.*

Application No.: 10/072,984

Filed: February 12, 2002

For: **Radio Frequency Identification  
Architecture**

Confirmation No.: 3525

Art Unit: 2636

Examiner: Trieu, Van Thanh

Atty. Docket: 1689.0240000

**Request for Refund**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that \$725.00 be credited to our Deposit Account No. 19-0036. It is asserted that credit for the following is due:

\$725.00 for excess claims fee.

Credit is due for the following reasons:

On March 18, 2005, Applicants filed a Supplemental Amendment and Information Disclosure Statement in the present application. The Supplemental Amendment attempted to add new claims 29-45. Unfortunately, a Notice of Allowance was mailed on January 14, 2005, but Applicants only became aware of the Notice of Allowance on March 23, 2005. The undersigned is still investigating why the Notice of Allowance was not received. In any event, the Supplemental Amendment and Information Disclosure Statement were filed after the mailing date of the Notice of Allowance. In light of this, Applicants requested that the Supplemental Amendment not be entered in the present application. Furthermore Applicants filed a revised amendment on April 1, 2005, co-filed with a Request for Continued Examination, only adding new

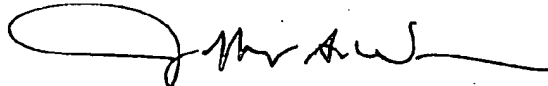
**BEST AVAILABLE COPY**

claims 29-32. Thus, Applicants previously overpaid claim fees when they paid for new claims 29-45, when only new claims 29-32 were ultimately filed in the present application. Therefore, Applicants are requesting a refund for the over payment of claim fees.

The present application was originally filed with 20 total claims, including 5 independent claims, which were paid for on the filing date of February 12, 2002. With the Supplemental Amendment filed March 10, 2005, Applicants paid for 14 additional claims over 20 (\$350.00), including 4 additional independent claims (\$400.00), for a total of \$750.00. With the revised amendment filed April 1, 2005, one additional claim over 20 was added (not paid for). Thus, Applicants should be refunded payment for 13 additional claims (\$325.00) and 4 independent claims (\$400.00) for a total of \$725.00.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jeffrey S. Weaver  
Attorney for Applicants  
Registration No. 45,608

Date: April 21, 2005

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

389167\_1.DOC

BEST AVAILABLE COPY



PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project (PTO/SB/30), no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request  
for  
Continued Examination (RCE)  
Transmittal**Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/072,984
Filing Date	February 12, 2002
First Named Inventor	Wayne E. SHANKS
Art Unit	2636
Examiner Name	Trieu, Van Thanh
Attorney Docket Number	1689.0240000

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0036. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e) **04/04/2005 SZEWDIE1 00000030 10072984**
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) **01 FC:1801 790.00 DP**
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	April 1, 2005
Name (Print/Type)	Jeffrey S. Weaver	Registration No.	45,608

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____	Date	_____
Name (Print/Type)	_____		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

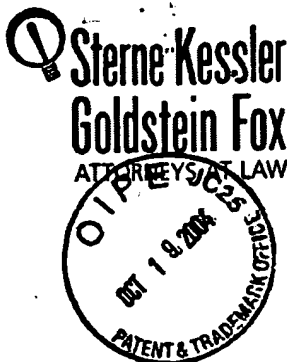
Adjustment date: 06/28/2005 SDIRETA1  
04/04/2005 SZEWDIE1 00000030 10072984  
01 FC:1801 -790.00 DP

382,089

06/28/2005 SDIRETA1 00000031 10072984  
01 FC:2801 395.00 DP

Refund Ref:  
06/28/2005 0030023054

Credit Card Refund Total: \$395.00  
Amount: XXXXXXXXXX1805



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michelle A. Cimbal  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugalsky  
Donald J. Featherstone  
Michael V. Messinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Hahney  
Heidi L. Kraus  
Albert L. Ferro  
Donald R. Bandwit  
Peter A. Jackman  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Eldora Ellison Floyd  
Thomas C. Fiale  
Brian I. Del Buono  
Virgil Lee Beaton  
Theodore A. Wood  
Elizabeth J. Haanes

Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Uhler  
Rae Lynn Pongaman  
George S. Bardmesser  
Daniel A. Klein  
Jason D. Eisenberg  
Michael D. Specht  
Andrea J. Kamage  
Tracy L. Muller  
LuAnne M. DeSantis  
Ann E. Summerfield  
Tiera S. Coston  
Aric W. Ledford  
Helene C. Carlson  
Timothy A. Doyle  
Jessica L. Parezo  
Gabby L. Longworth

Lori A. Gordon  
Wizlie D. Drelar  
Ted J. Ebersole  
Jyoti C. Iyer  
Laura A. Vogel  
  
Registered Patent Agents  
Karen R. Markowicz  
Nancy J. Leith  
Matthew J. Dowd  
Aaron L. Schwartz  
Katriona Tujan Pei Quach  
Bryan L. Skelton  
Robert A. Schwartzman  
Teresa A. Colella  
Jeffrey S. Lundgren  
Victoria S. Rutherford  
Michelle K. Holoubek

Robert H. DeSelms  
Simon J. Elliott  
Julie A. Heider  
Mita Mukherjee  
Scott M. Woodhouse  
Michael G. Penn  
Christopher J. Walsh

Of Counsel  
Kenneth C. Bass III  
Evan R. Smith  
Marvin C. Guthrie

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

October 19, 2004

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

WRITER'S DIRECT NUMBER:  
(202) 772-8831  
INTERNET ADDRESS:  
JWEAVER@SKGF.COM

Art Unit 2636

Re: U.S. Utility Patent Application  
Appl. No. 10/072,984; Filed: February 12, 2002  
For: Radio Frequency Identification Architecture  
Inventors: SHANKS *et al.*  
Our Ref: 1689.0240000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. One (1) return postcard;
5. Credit Card Payment Form (PTO-2038) in the amount of \$980.00 to cover the Petition for Extension of Time fee.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Adjustment date: 06/28/2005 SDIRETA1  
10/20/2004 RFEKADUI 00000056 10072984  
01 FC:1253 -980.00 OP

06/28/2005 SDIRETA1 00000030 10072984

01 FC:2253 490.00 OP

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 : 202.371.2540 : www.skpf.com

Refund Ref:  
06/28/2005

Credit Card Refund  
Total:

Am Exp.: XXXXXXXXXX1005

0030023053

\$490.00